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Lower Willamette Group

Co-Chairperson: Trey Harbert, Port of Portland
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VIA FACSIMILE

July 5, 2002

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US EPA
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Region 10
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RE: Portland Harbor Superfund Site

Dear Wally, Chip and Tara:

The LWG truly appreciates your willingness to meet in technical session to resolve outstanding concerns relating to our proposed time critical Round 1A field sampling effort. We believe that the meeting we had on June 26, 2002 represents a significant milestone in achieving our mutual goal of completing an expedited Remedial Investigation and Feasibility Study. This letter summarizes agreements reached during that meeting, attended by the LWG, EPA and EPA's partners. Also included are descriptions of issues that still requiring further discussion and timeframes for those discussions, and, given resolution of these issues, our collective agreement for the use of data generated in Round 1 of the Portland Harbor RI/FS.

The LWG's and EPA's joint objective is to complete the RI/FS in three to four years. As we discussed in the meeting, Round 1 of the RI/FS is a very comprehensive sampling program. Round 1A contains several seasonally-dependent elements of Round 1. For example, since the electro-shocking permit, which is being used to maximize the collection of fish for tissue analyses, is tied to the juvenile salmon mark and recapture pilot study, it is important for the LWG to be in the water as soon as the review period allows. Therefore, the objective of the June 26 meeting was to reach agreement on specific work elements related to Round 1A data collection and ways that data can be used after validation. These issues included the number and location of tissue samples and the appropriate species lists for those samples.

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Agreements:

1. The LWG will develop an amplified field SOP based upon oversight of LWG field efforts by Dave Terpening of EPA and will follow up with a written summary of agreed field procedures between our team and EPA, anticipating approval by EPA within 1 week of receipt. If EPA approval is received, the LWG anticipates initiating tissue collections efforts as part of the juvenile salmonid pilot study beginning the week of July 8. If approval is not received by July 8, tissue sampling will not be conducted as part of this study and will be initiated after EPA's approval.
2. As requested by USFWS, the LWG agreed to collect the pike minnow in addition to, rather than as an alternate to, the smallmouth bass.
3. As requested by USFWS and NOAA, the LWG agreed to add the peamouth, which was originally an alternate for the chinook salmon, as an additional species for tissue collection.
4. The LWG agreed that it is important to collect sediment samples shortly after collection of sculpin tissue samples, ideally before any episodic depositional or scouring events in the river. These events commonly occur with greater frequency in the later fall. The LWG anticipates collecting sculpin tissue in July/August and sediment in September/October .
5. The LWG agreed to collect walleye, which is the alternate to bullhead, using electroshocking. The LWG will subsequently collect bullhead by trotline. The decision on which species to analyze will be made after collection.
6. EPA agreed that, although the target size range for most fish species appears to be adequate, it may be difficult to achieve EPA's preferred target range of 250 mm or greater for smallmouth bass. The same may also be true for other fish species, especially if only a limited number of fish of a particular species is collected. EPA agreed that collection of an adequate number of fish is more important than collection of fish within a target size range, although every effort will be made to obtain fish within the target range. Joe Goulet (EPA) will talk to ODFW and provide target size range information to the LWG within one week (or sooner). The LWG will present the final data sheet of actual fish sizes collected to EPA for approval before the fish are composited and homogenized.
7. Because of EPA's concern about the home range of smallmouth bass, the LWG agreed to increase the number of sample locations from five to eight, which is approximately one location every river mile within the study area. These samples will be whole body composites and will be analyzed for PCB congeners and dioxins/furans in addition to the COCs listed in the SAP. Triplicate samples will be collected at the upstream, downstream and center sampling locations. In addition, five fillet composite samples will be collected within the ISA, for a total of nineteen smallmouth bass tissue samples.
8. EPA and its partners requested that we increase the number of reference areas to three above the ISA. The LWG agreed to prepare a proposal for determining the number and locations of upstream reference locations. We will provide this information to EPA by Monday, July 8.
9. With the revisions discussed above, and assuming the parties reach final agreement by the means outlined in items 1, 5, 6 and 8, the target fish receptors and tissue sampling approach identified in the

Round 1 Field Sampling Plan are approved. Fish tissue data from Round 1 will be used to narrow the list of COPCs and species for subsequent sampling rounds.

The LWG is very encouraged by the results of our meeting. We look forward to continuing cooperative negotiations with EPA and EPA's partners on the remaining elements of our Work Plan. Please give either of us a call if you have any further questions or concerns.

A handwritten signature in black ink, appearing to read 'Bob Wyatt', with a horizontal line extending to the right.

Bob Wyatt
Co-Chair

cc: LWG Executive Committee
 LWG Legal Committee
 Betsy Striplin, Striplin Environmental Associates